

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-versus-

STEVEN DONZIGER,

Defendant.

19-CR-561 (LAP)
11-CV-691 (LAK)

ORDER

LORETTA A. PRESKA, SENIOR UNITED STATES DISTRICT JUDGE:

The Court is in receipt of Mr. Garbus's email of September 3, 2020, attached as Exhibit A to this order, asking if there is any lack of clarity about his refusal to participate in Mr. Donziger's trial. As long as Mr. Garbus's notice of appearance on behalf of Mr. Donziger remains on the docket, he will receive ECF filings and is expected to conduct himself as an officer of the Court on behalf of his client.

SO ORDERED.

Dated: September 3, 2020
New York, New York



LORETTA A. PRESKA, U.S.D.J.

Exhibit A

From: Garbus, Martin <mgarbus@offitkurman.com>
Sent: Thursday, September 3, 2020 4:04:52 AM
To: Benjamin Albert <Benjamin_Albert@nysd.uscourts.gov>; Rita M. Glavin <glavin@sewkis.com>
Subject:

Dear Ben

Will you please give this email to Judge Preska

Dear Judge Preska and Ms Glavin

There have been so many emails, and potential misunderstandings . that I just wanted To again make it clear that I am not going to participate in any way in any of any scheduled or to be soon scheduled trial of Mr Donziger. .

I am presently in Truro Massachusetts and I intend to stay here for the foreseeable future. I have been here since early March

I have left the house on rare occasions. I have not had people in my home and I have not been in anyone else's home. . I have seen only my children and grandchildren outside

I took a COVID test this week and it came back negative.

I will not endanger myself,or render Mr Donziger legal services that I deem constitutionally defective and I will not and cannot participate in any Trial where I am not in New York

The passage of time, the conflict issues withdrawal of counsel .and Judge Prekas decision to schedule a trial soon makes it unlikely I will represent Mr Donziger at trial

Please let me know if there is any lack of clarity in this response

I think I had been clear before

Thank you

Respectfully
Martin Garbus

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